

**MINUTES  
PURCELLVILLE TOWN COUNCIL  
REGULAR MEETING  
APRIL 14, 2015, 7:00 PM  
TOWN HALL COUNCIL CHAMBERS**

---

The regular meeting of the Purcellville Town Council was convened at 7:00 PM in the Council Chambers with the following attendance:

**PRESENT:** Kwasi Fraser, Mayor  
John Nave, Vice Mayor  
Joan Lehr, Council member  
Karen Jimmerson, Council member  
Patrick McConville, Council member  
Doug McCollum, Council member  
Ben Packard, Council member

**ABSENT:** None

**STAFF:** Robert W. Lohr, Jr., Town Manager  
Patrick Childs, Assistant Town Manager  
Sally Hankins, Town Attorney  
Connie LeMarr, Assistant Director of Finance  
Lt. Joe Schroeck, Police Dept.  
Patrick Sullivan, Director of Community Development  
Diana Hays, Town Clerk

**CALL TO ORDER OF REGULAR MEETING:**

Mayor Fraser called the regular meeting to order at 7:00 PM.

**AGENDA AMENDMENTS:**

Council member Packard requested to move item 13g to 13a, Tourism Plan, to allow present members of EDAC to hear the discussion prior to tax discussions. Mayor Fraser approved the request.

Council member Lehr requested that item 14a, Policy on Making Public Zoning Administrator's Determination and Clarifying Artifacts, be removed from the agenda based on the pending appeal. Mayor Fraser noted that he disagrees and sees it as a discussion on the policy and not the legal matter. Council member McCollum agreed with Council member Lehr and added that anything said could be taken adversely against the Town's interest. Mayor Fraser asked Sally Hankins if she sees this as a possible legal issue. Sally noted that it depends on what it said and is possible that things said could be used in an argument against the Town. Mayor Fraser

clarified that the discussion would be about a policy. Council member Lehr noted she believes it should be delayed until the appropriate counsel is in place.

Council member Lehr made a motion to remove item 14a from the agenda. The motion was seconded by Council member McCollum.

Motion: Council member Lehr  
Second: Council member McCollum  
Carried: 5-2

McCollum-	Aye
McConville-	Aye
Jimmerson-	Nay
Packard-	Aye
Lehr-	Aye
Nave-	Aye
Mayor-	Nay

**PROCLAMATIONS/RECOGNITIONS:**

a) Recognition of Committee, Commission and Board Members

i) Keith Melton, Planning Commission

Although Mr. Melton was unable to attend the meeting, the Mayor and Town Council recognized him for his service on the Planning Commission.

ii) Chris Bledsoe, Parks and Recreation Advisory Board

b) Recognition of Town Volunteer Awards

i) Jim Rust, Volunteer of the Year Award, Individual Award

ii) Tree of Life (Wayne Ruckman), Volunteer of the Year, Group Award

**PUBLIC HEARING:**

a) Proposed Budget for FY16 and Tax Rate for Tax Year 2015

Mayor Fraser opened the public hearing at 7:17 p.m.

Rob Lohr provided the staff presentation.

Nop Thongpredo of 37855 Wexford Place came forward to discuss the meals tax and requested that Town Council reduce the meals tax from 5% to 4%.

Kelli Grim of Devonshire Circle came forward to talk about the budget and spoke in favor of lowering the meals tax.

Shawn Malone, owner of Magnolia's at the Mill, came forward and stated he would like to see the meals tax lowered.

Council member Jimmerson noted she agrees with the speakers about the meals tax and cited some meals tax rates from other cities and noted Purcellville is the highest in the country. Council member Jimmerson stated she does not like a high meals tax because it is a regressive tax that affects low income people far more than the general population. Council member Jimmerson noted that restaurants already pay high water rates already reducing their profit margins. Council member Jimmerson noted she feels if the Town keeps relying on the meals tax they may never be able to turn it back and it is time to adjust it accordingly.

Rob Lohr clarified via a question from Council member Packard that the Town received two large grants that were applied towards the projects at Fireman's Field. Council member Packard noted that there are municipalities in Virginia with a higher meals tax than Purcellville.

Council member Lehr added that Purcellville does not have the highest meals tax in the area and feels the goal should be reached before lowering the tax. Council member Lehr noted that the 1% is equal to \$320,000 and that amount would need to be made another way.

Vice Mayor Nave noted that to fund the higher items, infrastructure has had to stretched to the point where the Town has antiquated systems. Vice Mayor Nave stated he is hopeful the Town will be able to partially offset the tax by more business and revenue coming through various events around Town.

Mayor Fraser stated that he looks at the meals tax from an economic perspective and believes that by lowering the meals tax, transaction costs are being lowered which encourage more spending. Mayor Fraser noted he is looking for across the board cuts to support the decrease in the meals tax. Mayor Fraser stated he would like the meals tax lowered by 1%.

Council member McCollum noted that Purcellville is not the only town in the surrounding area with a meals tax and of 112 Towns listed on a report from UVA, 27 of them have a meals tax higher than 5%, 39 of them have a meals tax of 5%, 42 had a meals tax of less than 5% and 4 did not report. Council member McCollum added that it seems as though a meals tax is a recognized source of revenue that a lot of towns utilize to capture costs of operating a town. Council member McCollum stated he will not vote to reduce the rate unless there is a plan to make it up.

With no further comments, Mayor Fraser closed the public hearing at 7:42 p.m.

#### **STANDING COMMITTEE/COMMISSIONS/BOARD REPORTS:**

##### **a) Planning Commission, Chairman Gil Paist**

Chairman Paist announced that the Planning Commission will have a training session on the Comprehensive Plan on Saturday, April 18 which is open to the public.

Chairman Paist noted that he has requested to be added to the Town Council Work Session agenda on April 28 so that he can provide the Planning Commissions schedule for the next six months.

Chairman Paist noted that in the April edition of *Putting Purcellville Citizens First*, there was a write up on the comprehensive plan review training without the prior authorization of the Planning Commission Chairman. Chairman Paist stated that the agenda printed is not the correct agenda and expressed concerns that citizens may not attend because they have not seen that the afternoon of the session is focused on Purcellville.

Chairman Paist expressed his concerns for the agenda item proposing to amend Resolution No. 15-03-02 for initiating amendments to the zoning ordinance to ratify the work under progress by the Planning Commission. Chairman Paist stated that it is clearly stated that the Planning Commission will hold facilitated citizen input sessions to review and provide responses to the proposed amendments to the zoning ordinance prior to seeking outside legal counsel and holding any official public hearings on the proposed amendments. Chairman Paist stated that the current Town Council has been formed for almost ten months and expects a higher level of maturity, and suggests that Town Council have a deep debate and determine how far they are willing to let one or more members intrude on the business, vision, agenda and strategy of other boards and commissions in Purcellville.

b) Board of Architectural Review, Council member Packard

Council member Packard noted that the BAR did not meet last month.

c) Parks and Recreation Advisory Board, Council member McConville

Council member McConville noted that the Board continues to work on the Music and Arts Festival.

d) Economic Development Advisory Committee, Vice Mayor Nave

Vice Mayor Nave noted that Dave Levinson has provided a presentation to the EDAC on how to establish an activities calendar for the Town.

Chuck Izzo spoke about the Appalachian Trail and is proceeding with the application to be reviewed in October before submission.

Tourism plan initiatives were discussed and committee members were assigned to each initiative. The goal is to have the web calendar done by May.

A business owner on 21<sup>st</sup> Street was contacted about having a contest to paint the side of the building wall with a mural.

Beth Harrison with Visit Loudoun will speak at the next EDAC meeting.

EDAC has started an initiative with the Purcellville Business Association and local businesses to look at the possibility of getting a trolley through Town specifically during events. The trolley would serve as a shuttle. The EDAC hopes to do a trial in May.

e) Purcellville Arts Council, Council member Jimmerson

Council member Jimmerson noted that Catoctin Creek Distillery hosted an art contest and had a lot of submissions.

The Purcellville Arts Council was contacted by Hill High Art Studios that they will be leasing out artist space.

The art displays in local businesses is ongoing and many more businesses have signed up to display art.

**CITIZEN/BUSINESS COMMENTS:**

**Jim Bowman**, President of the Purcellville Business Association, (residence: 200 N. 28<sup>th</sup> Street) came forward and thanked Rob Lohr for his volunteer efforts in the Town and also thanked Jim Rust and the Tree of Life.

Mr. Bowman noted that Dr. David Miles spoke at the PBA luncheon about employment and employees and found the information useful.

Mr. Bowman noted an item on the agenda about removing the Purcellville Business Association from the Town's website because the PBA is a profit organization. Mr. Bowman stated that the corporate Secretary and Treasurer of the PBA both wrote letters for the record noting that they have reviewed the articles, the history and it is their opinion the PBA is a non-profit organization.

**Kelli Grim** of Devonshire Circle came forward to talk about the item that was removed from the agenda and noted that irreparable harm was done to the citizens of the Town because at the last Town Council is not sure who is to blame. Ms. Grim stated that at no time does any staff or Council member have the right to withhold such important legal information from the Town Council who is entrusted to vote on items that have legal ramifications. Ms. Grim noted that residents told Council what they thought about extending the CDA's and noted Council voted against it and noted that the deadline to appeal to the BZA is gone. Ms. Grim noted that she feels Council has the responsibility and an opportunity to do what is right, and thanked Mary Ellen Stover for taking some action and noted there are a lot of residents that agree with her, including herself. Ms. Grim noted that the Zoning Administrator can rescind or change what they say and would like to see Council make a decision that they will support or not support the citizen appeal filed with the BZA. Ms. Grim stated that Council made sure that someone did not have the information in a timely manner so that the Council would vote. Ms. Grim compared the appeal to one from five years ago. Ms. Grim stated she would like an explanation how having rubble sitting since November and some on Main Street have junk all over their property but an elderly person gets taken to court for what is in his backyard and noted that the Attorney for the Town was the firm belonging to the husband of a local

newspaper, which is not an arms-length distance which makes residents feel like there is trust or accountability issue. Ms. Grim stated it is Council's obligation to provide her with an explanation why, how come, who let this happen.

**Susie Windham** of 410 W. Main Street came forward and disclosed she used to be on the Town Council and Planning Commission. Ms. Windham noted that no matter what Patrick Sullivan says, Town Council will be held accountable with happens on 21<sup>st</sup> Street. Ms. Windham noted that the piles of rubble do not demonstrate that the project has begun. Ms. Windham asked that Council not let this be an excuse for the Town to pay the bills. She noted that the money from the project will not be coming into the Town because it is not a reality. Ms. Windham stated this is a bad project for the Town of Purcellville and should have never of been accepted by the previous Town Council. She noted that promised timeframes were not met and the developers have no right to come back to the Town and accept the explanation that the piles of rubble they say demonstrate that the project has begun, and restated that accountability for what happens on 21<sup>st</sup> Street will belong to Town Council. Ms. Windham stated that residents have told Council they do not want the project. She noted that the agreement is a covenant that Nelis and Chapman made with the Town of Purcellville and have not lived up to it.

**Steve Varnecky** of 37489 Chappelle Hill Road came forward to speak about the criticism of Town employees and noted that Council be the ones to stand up for staff which they have done. Mr. Varnecky addressed the accident involving a police officer and believes something noted in a publication is untrue and if he is correct thinks it should be addressed and corrected in a future publication.

**Mark Albright** of Auctions on Main (residence in Round Hill) came forward noting he opened Auctions on Main Street two and a half years ago and thanked Council and the past Council for being friendly to business. Mr. Albright said he was welcomed to the Town and it has been very gratifying being in Purcellville. Mr. Albright encouraged Council to continue with the business-friendly atmosphere that he encountered and thanked Council and staff for the help and support of his business.

**Jim Grenier** of Leesburg, VA came forward representing American Legion Baseball. Mr. Grenier noted the regional tournament will be held at Fireman's Field beginning August 4. The team represents various high schools around Loudoun County. Mr. Grenier noted that American Legion Baseball is different than Babe Ruth in that is run by veterans. Mr. Grenier requested community support and involvement to keep the tournaments coming to the Town.

#### **PRESENTATIONS:**

None Scheduled

#### **MAYOR AND COUNCIL COMMENTS:**

Council member McCollum thanked Rob Lohr and staff for their work on the draft budget for FY16.

Council member McCollum disclosed he attended the PBA luncheon and found it very helpful and informative.

Council member McCollum thanked Rob Lohr and staff for putting together the candidates to replace Chief Smith and noted the first set of interviews are complete with the second set to follow on April 15.

**Council member McConville** stated the Town-wide clean-up was successful and thanked the volunteers.

Council member McConville thanked Council and the Mayor for their support to act as Town liaison for a stakeholder working group with Transit Development Plan in Loudoun County.

**Council member Jimmerson** noted that the house secretary at Blue Ridge Middle School, Ms. Linda Blair, passed away this morning and requested a moment of silence.

Council member Jimmerson noted the town-wide clean-up was a lot of fun.

Council member Jimmerson disclosed that on March 31 she and the Mayor met with two representatives from Vulcan Concrete to discuss future opportunities with the Dillon house. They also met with Casey Young from the Purcellville Preservation Association to discuss the potential that was discussed with Vulcan.

Council member Jimmerson noted that an email was received today from Frank DiPerna requesting that his email opposing the Zoning Administrators decision be entered into the public records.

Council member Jimmerson noted she saw that there may be a community meeting about the Northern Collector Road on May 5 at 7:00 p.m. with Supervisor Janet Clarke at Loudoun Valley High School.

Council member Jimmerson announced that Saturday, April 25 is prescription drug take back day.

Council member Jimmerson stated that the meals tax was raised to pay for legal fees and now the Town is faced with an appeal that will cost legal fees, and these types of situations should be avoided.

**Council member Packard** disclosed that he attended the PBA luncheon and spoke with a number of business owners.

Council member Packard noted that May 2 is the Love Your Neighbor Food Drive through the Tree of Life.

Council member Packard stated that he participated in clean-up day and appreciates the clean community.

**Council member Lehr** stated she spoke with Dennis Beese about a perspective client of his looking for a place in Town and encouraged that the client reach out to Town Council.

Council member Lehr noted she attended the PBA luncheon.

**Vice Mayor Nave** thanked Public Works for the 2014 Excellence in Waterworks Operations Performance Award for the seventh year in a row.

Vice Mayor Nave commented on the budget and meals tax and stated he is not against raising taxes or removing taxes not needed. Vice Mayor Nave noted Council has seen more depth on the numbers and stated that staff works hard and does not have half of updated tools that they need. Vice Mayor Nave noted that at some point the work will not be able to get done because of it which is a concern. Vice Mayor Nave noted he looks at the big picture and where the Town is today and where they will be in the next few years.

**Mayor Fraser** noted he participated in the Town-wide clean-up day.

Mayor Fraser stated he is encouraged by the prospects for the Chief of Police position and feels the Town will have a qualified Chief when the process is finished.

Mayor Fraser spoke about the meals tax and bringing the business perspective to government. Mayor Fraser talked about capturing additional revenue and not depending on one source.

**CONSENT ACTION ITEMS:**

None

**ACTION ITEMS:**

- a) Tourism Plan

Patrick Sullivan introduced the final tourism plan presented by the EDAC.

Council member Lehr made a motion that Town Council accept the 2014 Tourism Plan and approve the implementation of the Goals, Objectives, and Actions; including the Downtown Mural, the creation of a calendar web page and the renovation of the downtown gazebo into an information kiosk with the understanding that any required revenue expenditures will come out of the EDAC budget.

Motion: Council member Lehr  
Second: Mayor Packard  
Passed: 7-0-0

McCollum - Aye  
McConville - Aye  
Jimmerson - Aye



Nave - Aye  
Lehr - Aye  
Packard - Aye  
Mayor - Aye

Council member Packard noted that there are different goals for different sections in the plan and confirmed with Vice Mayor Nave that the priority will be the objective one under each goal.

Council member McCollum added that the boy scouts are always looking for projects and may be able to assist with some of the projects included in the plan.

Council member Lehr asked if the building that is intended to have the mural is part of the historic district. Patrick Sullivan noted that the building is not on the national registry but is designated locally and confirmed via a question from Council member Lehr that the design would need to go in front of the BAR.

b) Adoption of 2015 Personal Property Tax Rates

Vice Mayor Nave made a motion that the Town Council adopt Ordinance No. 15-04-02 to set the 2015 Personal Property tax rates under the FY16 budget at:

Personal Property Tax/Vehicles rate of \$1.05 per \$100 assessed value  
Personal Property Tax/Business rate of \$.55 per \$100 assessed value

Motion: Vice Mayor Nave  
Second: Council member McConville  
Passed: 7-0-0

McCollum - Aye  
McConville - Aye  
Jimmerson - Aye  
Nave - Aye  
Lehr - Aye  
Packard - Aye  
Mayor - Aye

c) Adoption of 2015 Fireman's Field Service District Tax

Council member Jimmerson made a motion that the Town Council adopt Ordinance No. 15-04-01 to set the 2015 Fireman's Field Service Tax District rate under the FY16 budget at \$.035 per \$100 assessed value.

Motion: Council member Jimmerson  
Second: Council member McCollum  
Passed: 5-2-0

McCollum -	Aye
McConville -	Aye
Jimmerson -	Nay
Nave -	Aye
Lehr -	Aye
Packard -	Aye
Mayor -	Nay

Council member Packard noted he believes there is some confusion about the Fireman's Field service district as not all of it goes to Fireman's Field and it is a Parks and Recreation Fund. Council member Packard stated he does not propose dropping the tax and absorbing it into the real property tax but maybe something to think about over the next year to remove the confusion. Council member Packard noted it is not just to pay off the field but for other expenditures, and noted that this year the Town may negotiate the use of Fireman's Field to increase additional revenue.

Council member Lehr noted that it was separated for clarity and transparency at that point but seems to be more confusing than transparent. Because it is a separate fund it has no ability to move money between funds.

Vice Mayor Nave is hopeful the Town can bring in additional revenue from Fireman's Field.

Council member McCollum shares the same thoughts as fellow Council members and referenced page 36 of the Comprehensive Plan and the fact that Fireman's Field was a private facility with a significant historical resource on site, and that it is important that the integrity of the property be preserved and urged the Town to acquire it which they did. Council member McCollum noted that a way to increase revenue is to charge for services such as use of municipal facilities and hopes that next year there are things lined up to generate revenue as a justification to reduce the Fireman's Field tax.

Mayor Fraser added that there is a lot of confusion with this tax and for all intended purpose is a property tax which brings in about \$372,000 per year and is for more than Fireman's Field, including parks and recreation activities. Mayor Fraser stated he would like to have a plan in place how to get to the \$372,000 to pay off the debt and phase out the tax.

d) Adoption of 2015 Real Property Tax Rate

Council member McConville made a motion that the Town Council adopt Ordinance No. 15-04-03 to set the 2015 Real Property tax rate under the FY16 budget at \$.225 per \$100 assessed value.

Motion:	Council member McConville
Second:	Council member Lehr

Vice Mayor Nave asked Rob Lohr that with money appropriated for legal fees and with the potential of more legal fees if the Town can cover what may come through with what is budgeted or if a buffer should be added. Rob Lohr noted that the legal services budget was

Mayor  
Kwasi A. Fraser

Council  
Joan Lehr  
John A. Nave  
Patrick McConville II  
Karen Jimmerson  
Benjamin J. Packard  
Douglass J. McCollum



Town Manager  
Robert W. Lohr, Jr.

Assistant Town Manager  
J. Patrick Childs

221 S. Nursery Avenue  
Purcellville, VA 20132  
(540) 338-7421  
Fax: (540) 338-6205  
[www.purcellvilleva.gov](http://www.purcellvilleva.gov)

**TOWN OF PURCELLVILLE  
IN  
LOUDOUN COUNTY, VIRGINIA**

**RESOLUTION NO. 15-04-01**

**PRESENTED: April 14, 2015**

**ADOPTED: April 14, 2015**

**A RESOLUTION: TO SET THE PERSONAL PROPERTY TAX RELIEF  
PERCENTAGE FOR THE TAX YEAR 2015**

**WHEREAS**, the Personal Property Tax Relief Act of 1998, Va. Code §58.1-3523 *et seq.* ("PPTRA"), has been substantially modified by the enactment of Chapter 1 of the Acts of Assembly, 2004 Special Session I (Senate Bill 5005) and the provisions of Item 503 of Chapter 951 of the 2005 Acts of Assembly, being the 2005 revisions to the 2004-2006 Appropriations Act ("the 2005 Appropriations Act"); and

**WHEREAS**, these legislative enactments require the Town to take affirmative steps to provide for the computation and allocation of relief provided pursuant to the PPTRA as revised; and

**WHEREAS**, these legislative enactments provide for the appropriation to the Town of a fixed sum to be used exclusively for the provision of tax relief to owners of qualifying personal use vehicles that are subject to local personal property tax on such vehicles.

**NOW, THEREFORE, BE ITS RESOLVED** by the Town Council of the Town of Purcellville in accordance with the requirements set forth in Va. Code §58.1-3524(C)(2) and §58.1-3912(E), as amended by Chapter 1 of the Acts of Assembly (2004 Special Session 1) and as set forth in Item 503 of the 2005 Appropriations Act, that any qualifying vehicle having situs within the Town during the tax year which begins on January 1, 2015, shall receive personal property tax relief in the following manner:


1. The Treasurer will write off all personal property tax bills below \$10.50 per Va. Code §58.1-3912A.

**A RESOLUTION:**

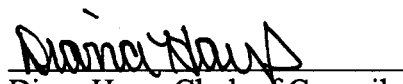
**TO SET THE PERSONAL PROPERTY TAX RELIEF PERCENTAGE FOR THE TAX YEAR 2015**

2. Personal use vehicle valued at \$1 to \$20,000 will be eligible for 44% of tax relief set by the Town Council during its annual budget deliberations.
3. Personal use vehicles valued at \$20,001 or more will be eligible for 44% of tax relief on the first \$20,000 of assessed value set by the Town Council during its annual budget deliberations.
4. All other vehicles which do not meet the definition of "qualifying" (business use vehicles, farm use vehicles, motor homes, etc.) will not be eligible for personal property tax relief under PPRTA.

**PASSED THIS 14<sup>th</sup> DAY OF APRIL, 2015.**

  
Kwasi A. Fraser, Mayor  
Town of Purcellville

**ATTEST:**

  
Diana Hays, Clerk of Council

Mayor  
Kwasi A. Fraser

Council  
Joan Lehr  
John A. Nave  
Patrick McConville II  
Karen Jimmerson  
Benjamin J. Packard  
Douglass J. McCollum



Town Manager  
Robert W. Lohr, Jr.

Assistant Town Manager  
J. Patrick Childs

221 S. Nursery Avenue  
Purcellville, VA 20132  
(540) 338-7421  
Fax: (540) 338-6205  
[www.purcellvilleva.gov](http://www.purcellvilleva.gov)

**TOWN OF PURCELLVILLE  
IN  
LOUDOUN COUNTY, VIRGINIA**

**ORDINANCE NO. 15-04-02**

**PRESENTED: April 14, 2015**  
**ADOPTED: April 14, 2015**

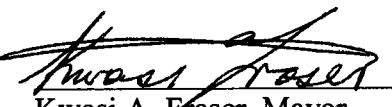
**AN ORDINANCE: SETTING THE PERSONAL PROPERTY TAX RATE FOR CALENDAR YEAR 2015**

**WHEREAS,** the Town Council has the authority to set the Personal Property Tax Rate for our annual collection; and

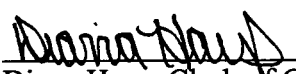
**WHEREAS,** the Town Council has set a schedule to adopt the Personal Property Tax Rate at the April Town Council Meeting in order to give the Town time to print the bills and provide a 30 day payment period for our residents since the first bill is due on June 5, 2015; and

**NOW, THEREFORE,** be it resolved that the Town Council of Purcellville approves a Vehicle Personal Property Tax Rate of \$1.05 per \$100 assessed value for calendar year 2015 and a Business Personal Property Tax Rate of 55 cents per \$100 assessed value for calendar year 2015.

**PASSED THIS 14<sup>th</sup> DAY OF APRIL, 2015.**

  
Kwasi A. Fraser, Mayor  
Town of Purcellville

**ATTEST:**

  
Diana Hays, Clerk of Council

drastically cut for FY16 at the staff and Council level during the three work sessions and is at a reasonable number if the Town has a normal year without unusual legal challenges.

Council member McCollum added that an additional \$180,000 was cut from the budget but still leaves the budget unbalanced. Council member McCollum noted that the draft budget includes transfers from reserve accounts to pay for expenses, which he believes is inconsistent with the Town's finance policy and may create problems with the rating agencies during their review. Council member McCollum noted that \$26,000 was removed from legal fees and consideration should be taken as to how to fund the legal fees for the appeal to the Board of Zoning Appeals, and added this could be taken from reserves as an unexpected expense. Council member McCollum noted that Council may wish to consider adding back the \$26,000.

Council member McConville noted that the potential litigation legal fees are unknown and would like to see the rate at \$.225 to help with the unknown fees.

Council member Jimmerson asked if a budget had been created for each of the proposed rates. Rob Lohr noted that the time involved to do that would be very expensive however advises Council as soon as the equalized rate has been determined. Council member Jimmerson stated she prefers to be slightly above the equalized rate but not taking too much from taxpayers.

Council member Lehr noted she believes the \$.225 is a logical number and puts the Town in a better situation should legal fees arise, and if not, have the additional funding for either a software package or to pay off some debt.

Mayor Fraser stated his concern that over the past three years the Town has been underestimating the meals tax by over \$150,000 and asked if the Town may be underestimating revenue sources as well.

Council member Packard stated that the police vehicle is needed and the Town should consider using reserve money for that purchase and noted he isn't sure about going to the \$.225 but does support \$.22.

Council member Lehr feels that the \$.225 is the appropriate tax because of the unexpected.

Vice Mayor Nave asked Rob Lohr if he could operate the Town efficiently and effectively at the \$.21 rate. Rob Lohr noted that whatever Council's final decision is staff will work with Council so that the impacts are as minimal as possible. Rob Lohr suggested going a little higher than \$.21 to ensure that the impacts are minimal over the next couple of years and added he would like to see \$.22.

Council member Jimmerson made a friendly amendment that the Town Council adopt Ordinance No. 15-04-03 to set the 2015 Real Property tax rate under the FY16 budget at \$.22 per \$100 assessed value.

Motion:	Council member Jimmerson
Second:	Council member McConville
Passed:	6-1-0

McCollum - Aye  
McConville - Aye  
Jimmerson - Aye  
Nave - Aye  
Lehr - Aye  
Packard - Aye  
Mayor - Nay

Mayor Fraser stated he is committed to the taxpayers of Purcellville to increase revenue.

e) 2015 Personal Property Tax Relief Percentage Resolution

Council member Lehr made a motion that the Town Council approve Resolution No. 15-04-01 to set the 2015 PPTRA rate at 44%. This amount is based upon total dollars from the Commonwealth divided by the total tax of all qualifying vehicles in the Town of Purcellville.

Motion: Council member Lehr  
Second: Council member Packard  
Passed: 7-0-0

McCollum - Aye  
McConville - Aye  
Jimmerson - Aye  
Nave - Aye  
Lehr - Aye  
Packard - Aye  
Mayor - Aye

f) Agreement for Use of the Purcellville Train Station as a Visitors Center

Patrick Childs summarized the provided staff report and noted that the Town has provided Visit Loudoun with \$3,000 for the operation of the Visitors Center.

Council member Jimmerson made a motion that the Town Council approve the Agreement for the Use of the Purcellville Train Station for a Visitors Center by and between the Town and the Loudoun Convention and Visitor's Association, Incorporated. The Town Manager will execute the Agreement on behalf of the Town.

Motion: Council member Jimmerson  
Second: Council member Lehr  
Passed: 6-1-0

McCollum - Aye  
McConville - Aye  
Jimmerson - Aye

Mayor  
Kwasi A. Fraser

Council  
Joan Lehr  
John A. Nave  
Patrick McConville II  
Karen Jimmerson  
Benjamin J. Packard  
Douglass J. McCollum



Town Manager  
Robert W. Lohr, Jr.

Assistant Town Manager  
J. Patrick Childs

221 S. Nursery Avenue  
Purcellville, VA 20132  
(540) 338-7421  
Fax: (540) 338-6205  
[www.purcellvilleva.gov](http://www.purcellvilleva.gov)

**TOWN OF PURCELLVILLE**

**IN**

**LOUDOUN COUNTY, VIRGINIA**

**ORDINANCE NO. 15-04-03**

**PRESENTED: April 14, 2015**  
**ADOPTED: April 14, 2015**

**AN ORDINANCE: ESTABLISHING THE REAL ESTATE TAX RATE FOR CALENDAR YEAR 2015**

**WHEREAS,** Article I (General), Section 74-1 (Annual levy; rate of taxes) of the Town Code of Purcellville authorizes the Town of Purcellville, Virginia to levy and collect real estate taxes in the amounts set by the Council from time to time.

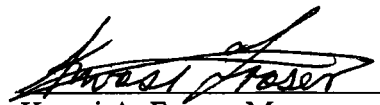
**THEREFORE,** the Council of the Town of Purcellville, Virginia hereby ordains:

SECTION I. That the Real Estate Tax Rate for calendar year 2015 is hereby established to be \$.22 per \$100 of assessed value.

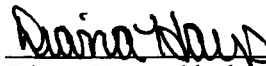
SECTION II. That all prior ordinances and resolutions in conflict herewith are hereby repealed.

SECTION III. This ordinance shall be effective January 1, 2015.

**PASSED THIS 14<sup>th</sup> DAY OF APRIL, 2015.**

  
Kwasi A. Fraser, Mayor  
Town of Purcellville

ATTEST:

  
Diana Hays, Clerk of Council



Mayor  
Kwasi A. Fraser

Council  
Joan Lehr  
John A. Nave  
Patrick McConville II  
Karen Jimmerson  
Benjamin J. Packard  
Douglass J. McCollum



Town Manager  
Robert W. Lohr, Jr.

Assistant Town Manager  
J. Patrick Childs

221 S. Nursery Avenue  
Purcellville, VA 20132  
(540) 338-7421  
Fax: (540) 338-6205  
[www.purcellvilleva.gov](http://www.purcellvilleva.gov)

**TOWN OF PURCELLVILLE**

**IN**

**LOUDOUN COUNTY, VIRGINIA**

**ORDINANCE NO. 15-04-01**

**PRESENTED: April 14, 2015**  
**ADOPTED: April 14, 2015**

**AN ORDINANCE: ESTABLISHING THE FIREMAN'S FIELD SERVICE DISTRICT TAX RATE FOR CALENDAR YEAR 2015**

**WHEREAS**, Article VIII (Fireman's Field Service Tax District), Section 74-232 (Levy and Collection of Tax) of the Town Code of Purcellville authorizes the Town to annually set the rate for a special tax to be levied on property located within the Fireman's Field Service Tax District ("District") in the same manner as the Town may establish other Town property taxes.

**THEREFORE**, the Council of the Town of Purcellville, Virginia hereby ordains:

SECTION I. That the District tax rate for calendar year 2015 is hereby established to be \$.035 per \$100 of assessed value.

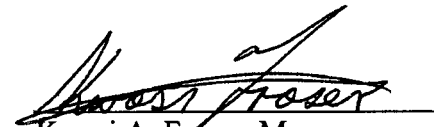
SECTION II. That the District tax shall be uniformly levied on the assessed value of all real property located within the Town of Purcellville, with the following exceptions: (1) no District tax will be levied on those properties that are exempt from real property taxation pursuant to Loudoun County ordinance and Virginia Code section 58.1-3210 and (2) for those properties devoted to agricultural use and taxed by Loudoun County at the agricultural use value, the District tax shall be levied on the property's agricultural use value.

SECTION III. That the revenue generated from the District tax may be used only to benefit Fireman's Field and other recreational or cultural properties within Town limits, including the maintenance and operation of facilities, the acquisition of land, and the construction or installation of improvements.

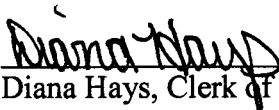
SECTION IV. That all prior ordinances and resolutions in conflict herewith are hereby repealed.

SECTION V. This ordinance shall be effective January 1, 2015.

PASSED THIS 14<sup>th</sup> DAY OF APRIL, 2015.

  
Kwasi A. Fraser, Mayor  
Town of Purcellville

ATTEST:

  
Diana Hays, Clerk of Council

Nave -	Aye
Lehr -	Aye
Packard -	Aye
Mayor -	Nay

Council member Lehr talked about the benefit of the businesses in Town by having the Visitor's Center and noted it is likely that the \$3,000 expense gets covered.

Mayor Fraser noted his concern is that once the Train Station is occupied by Visit Loudoun, no additional revenue can be generated on the weekends, and noted the return on investment.

Patrick Childs added that the visitor's center occupies the smaller of the two available rooms in the Train Station.

Rob Lohr added that the Arts Council and Visitor's Center will be side by side and that the entire Train Station would not be available for rental for a specific period of time.

#### **DISCUSSION/INFORMATIONAL ITEMS:**

- a) Policy on Making Public Zoning Administrator's Determination and Clarifying Artifacts  
(Example: Vineyard Square CDA Determination)

This item was removed from the agenda via an amendment.

- b) Community Development Monthly Report

Patrick Sullivan noted that Purcellville Crossroads has submitted a complete application for annexation and added that the information is available on the website.

- c) Purcellville Business Association Link to Town Website

Council member Jimmerson noted Council should be careful as to who they align with and talked about the proposed non-profit status of the PBA.

Council member Lehr noted that Council made a ruling to allow all non-profits to link to the Town's website and noted that the PBA has been partnering with the Town for years and that they have been linked to the Town's website since the inception of the website.

Mayor Fraser asked about the timeline of getting the official non-profit status from the IRS. Council member Lehr stated that the final filing is complete and it could take three to nine months to receive the official document.

Council member Packard commented that he accepts that the PBA is a non-profit unless there is evidence stating otherwise.

Mayor Fraser stated that the fundamental issue is what entities should be linked to the website and how to proceed with future requests.

Mayor Fraser requested that Council member McCollum share the ordinance he discussed then Council can determine how to move forward.

- d) Discussion to Amend Resolution No. 15-03-02 – Initiating Comprehensive Amendments to the Zoning Ordinance and Referring Said Amendments to the Planning Commission for Recommendations.

Mayor Fraser stated that the purpose of this request is that when the resolution was created it was stated by Council member McCollum that there would be a series of public hearings that would be interactive. Mayor Fraser stated he has spoken with Sally Hankins and the information provided by Sally was that public hearings by nature are not interactive. Sally Hankins clarified that a public hearing could be interactive but traditionally are not, and generally the Chairman determines how interactive the public hearings are.

Council member McCollum noted that he meant that public forums would be shaped by the Planning Commission and the goal would be to have citizen feedback. Mayor Fraser noted via a question from Council member Packard that he has not spoken with the Planning Commission Chairman for clarification.

Council member Packard stated he is not in favor of amending the resolution and that Council should trust the work of the Planning Commission.

Council member Jimmerson stated she agrees with the Mayor's comments and believes something should be in writing.

- e) Discussion to Amend the Public Meeting Conduct Policy

Mayor Fraser stated that after reviewing the Public Meeting Conduct Policy noted that the last paragraph of the document does not encourage people to be part of the process and seems restrictive. Mayor Fraser stated he believes some of the language can be removed and does not believe that the Town has the right to ban someone from a future meeting, and questioned the legality of the last paragraph and requested that it be removed from the document.

Rob Lohr confirmed that the document had been forwarded to multiple attorneys and no feedback was provided. Rob Lohr recommended that no changes be made to item fourteen in the policy due to safety concerns and noted that Council needs to make the citizen aware of the rules in advance. Mayor Fraser suggested adding a sentence to item fourteen about this being a safety issue, and noted he would strike most of the last paragraph.

Council member McCollum noted that it is a standard procedure for a governing body to have authority to deal with disruptive conduct.

Sally Hankins noted that it is possible to bar someone from public property due to extreme conditions such as posing a safety threat to those that are in the building.

**DISCUSSION OF ITEMS PROPOSED FOR FUTURE PRESENTATIONS:**

- a) Presentation by Chairman Paist – Update on Timelines & Schedule for Upcoming Work and Comprehensive Plan

Town Council agreed to add Chairman Paist to the agenda for the April 28, 2015 Town Council Work Session.

- b) Proclamation – Lyme Disease Awareness Month, May 2015

Council member Packard suggested adding something pertaining to the Town of Purcellville to the proclamation. Town Council agreed and added this to the agenda for the April 28, 2015 Town Council Work Session.

**APPROVAL OF MINUTES:**

- a) March 24, 2015 Town Council Work Session
- b) March 26, 2015 Town Council Budget Work Session

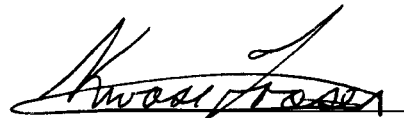
Council member McCollum made a motion that Town Council approve the minutes of the March 24, 2015 Town Council Work Session and the March 26, 2015 Town Council Budget Work Session as submitted wave reading.

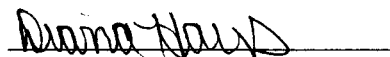
Motion:	Council member McCollum
Second:	Council member Packard
Carried:	7-0-0

**ADJOURNMENT:**

There being no further business, Vice Mayor Nave made a motion to adjourn the meeting at 10:29 PM.

Motion:	Vice Mayor Nave
Second:	Council member Lehr
Carried:	7-0-0

  
Kwasi A. Fraser, Mayor

  
Diana Hays, Clerk of Council